

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

SUNDOWN GAY HATFIELD, §  
§  
vs. §  
§  
UNION PACIFIC RAILROAD CO. §

CASE NO. 2:07-CV-214

**ORDER**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The Magistrate Judge presented two reports for consideration, which contain his proposed findings of fact and recommendations for the disposition of this action. These reports include the suggested disposition of the defendant's motion to dismiss (#5) and the defendant's motion for summary judgment (#25). The defendant has filed objections to both of Judge Everingham's report and recommendations. The undersigned has reviewed Judge Everingham's report and recommendations, and has reviewed the defendant's objections. The undersigned overrules the defendant's objections, and adopts the findings and conclusions of contained in both of Judge Everingham's report and recommendations.

SIGNED this 6th day of June, 2008.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE